

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:  
City of Detroit, Michigan,  
Debtor.

Bankruptcy Case No. 13-53846  
Honorable Thomas J. Tucker  
Chapter 9

**STATEMENT OF ISSUES AND DESIGNATION OF RECORD ON APPEAL**

In accordance with Rule 8006 of the Federal Rules of Bankruptcy Procedure, Claimant MICHAEL MCKAY, creditor in the above-referenced bankruptcy case, hereby submits the following statement of issues to be presented and designation of record items to be included in the record on appeal to the United States District Court for the Eastern District of Michigan in connection with the Notice of Appeal filed by MICHAEL MCKAY in the above-captioned case on June 24, 2016.

**DESIGNATION OF RECORD ITEMS FOR APPEAL**

1. City of Detroit Eighth Amended Bankruptcy Plan - *Docket No. 8045*
2. Order Confirming City of Detroit Eighth Amended Bankruptcy Plan - *Docket No. 8274*
3. Hon. Stephen Rhodes's Oral Opinion Regarding the Adoption of the Bankruptcy Plan- Not in Appellant's Possession, Attached as Exhibit 10 To Claimant Michael McKay's Motion to Enforce Agreement Resolving Claim of Michael McKay - *Docket No. 11157 and Docket No. 8275*
4. Original Complaint for the Michael McKay case filed in Wayne County Circuit Court

5. Michael McKay's Motion to Enforce Agreement filed in United States Bankruptcy Court for the Eastern District of Michigan, together with all attachments and exhibits  
- *Docket No. 11157*
6. City of Detroit's Objection to Claimant Michael McKay's Motion to Enforce Agreement - *Docket No. 11181*
7. Transcript from the oral argument related to Claimant Michael McKay's Motion to Enforce Agreement - *Document Ordered, Not In Appellant's Possession*
8. Order of Hon. Thomas J. Tucker regarding Claimant Michael McKay's Motion to Enforce Agreement - *Docket No. 11289*
9. City of Detroit's Agreement Resolving Claim of Michael McKay - *Exhibit B to Docket No. 11181*

### STATEMENT OF ISSUE ON APPEAL

1. Whether the Agreement Resolving Bankruptcy Claim of Michael McKay's is to be paid as a Class 14 claim under the Eighth Amended Bankruptcy Plan, or as a 42 USC 1983 claim against the individual officers that was not subject to treatment as a Class 14 Other Unsecured Claim under the bankruptcy plan confirmed by the United States Bankruptcy Court.

ROMANO LAW, PLLC

/s/ Eric Stempien

By: Eric Stempien (P58703)  
Attorneys for Michael McKay

Dated: July 27, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that on July 27, 2016, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all parties of record.

/s/ Nane' Rosolino

Nane' Rosolino